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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,863	04/30/2002	Pierre Girod	032326-181	3216

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EXAMINER

ST CYR, DANIEL

ART UNIT PAPER NUMBER

2876

DATE MAILED: 06/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/808,863

Applicant(s)

PIERRE GIROD

Examiner

Daniel St.Cyr

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-16 is/are rejected.
- 7) ☐ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Receipt is acknowledged of the amendment filed 3/18/03.

Claim Objections

2. Claim 11 is objected to because of the following informalities: line 2, "such as tickets" should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 6-8, 10, 11, and 16 are rejected under 35 U.S.C. 102(b) as being anticipate by Kiyoaki, EP Patent No. 0,169,278.

Kiyoaki discloses a method and apparatus for distributing ticket fare income comprising: a first means (sorting device) specific to a first operator for acquiring information from a ticket issued by the first operator and for authorizing a service according to the information acquired, and consulate means (means for reading information from the ticket purchased from station X at the bus station a", b", or c") for receiving information from a ticket issued by another operator and for transmitting to the first means authorization to render said service according to the information obtained and processed in a manner specific to the consulate means. (see figure 1, page 7, line 24 to page 8, line 21).

Re claim 2, the service authorization is dependent on prior performance transaction (transaction from the railway) (see page 8, lines 3-21).

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Re claim 6, further including a central unit 65 and a set of remote stations 66, 67 to acquire the information from the tickets and to perform transactions which remote stations are connected to the central station by first transmission circuits (see figure 13).

Re claim 7, each remote station comprises a consulate (means to retrieve information from a common ticket).

Re claim 8, wherein the central unit second transmission circuits for transmitting to the other operator the data corresponding to transaction effected on behalf of said operator (see figure 13 and page 18, line 16+).

Re claim 10, wherein said services pertain to a common transportation system and the remote stations are validators for access to transportation vehicles (buses and trains), the information carried by the tickets being read (see figure 1).

Re claim 11, the tickets are information carrier with magnetic stripe (see figures 9 and 10).

Re claim 16, wherein the services pertain to systems with different purpose (bus and train).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 3-5 and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kiyoaki. The teachings of Kiyoaki have been discussed above.

Re claims 3-5, Kiyoaki fails to disclose or fairly suggests the specific configuration of the consulate means with respect to the first means. However, having a specific design configuration, such as having integrated system, a modular system, etc., fall within the engineering design choice for meeting customer's requirement. It would have been obvious for an artisan at the time the invention was made to design the system into a specific desire configuration to make the make the system more user friendly or more appealing. Such modification would make the system more desirable and would quantify the demand for the system. Therefore, it would have been an obvious extension as taught by Kiyoaki.

Re claim 12-15, Kiyoaki fails to disclose or fairly suggests that the services pertain to mobile telephony using smart cards or banking system using credit card. However, notice is taken that mobile telephony systems using smart cards and banking systems using credit cards are notoriously old and well known in the art for performing mobile system transactions and banking transactions. It would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify the system of Kiyoaki into a well-known mobile telephony system or into a well-known banking system for performing mobile communication or for performing banking transactions. Such modification would make the system more desirable by providing a system with overwhelming demand in the industry, which would make the system more cost effective and more profitable. Therefore, it would have been an obvious extension as taught by Kiyoaki.

Allowable Subject Matter

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7. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter: Although the prior art of record teaches a system and device for issuing multipurpose tickets wherein the device coupled to a consulate device for validating a ticket from an operator from another system, the prior art of record fails to disclose or fairly suggests a central unit having third transmission circuits for transmitting from an operator to the consulate device information concerning methods of processing by the consulate device of the information carried by the tickets. These limitations in conjunction with other limitations in the claims were not shown by the prior art of record.

Response to Arguments

9. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Drupsteen, US Patent No. 6,003,776, discloses a multiple tickets on smart cards. Owens et al, US Patent No. 6,338,140, disclose a method and system for validating subscriber identities in a communication network. Leonardi, US Patent no. 6,556,680, discloses a method for authorization check.

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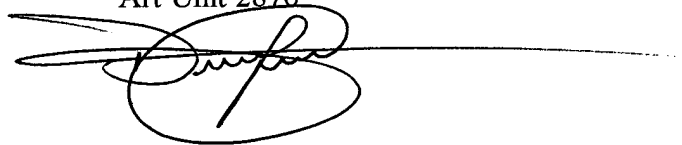
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel St.Cyr whose telephone number is 703-305-2656. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G Lee can be reached on 703-305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7721 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Daniel St.Cyr
Primary Examiner
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A handwritten signature in black ink, appearing to read 'Daniel St.Cyr', is written over a horizontal line. The signature is stylized with a large loop and a long horizontal stroke extending to the right.

DS
May 30, 2003